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PATENT
Attorney Docket No: BSC-204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Gellman et al.	CONFIRMATION NO.:	6275
SERIAL NO.:	10/067,488	GROUP NO.:	3731
FILING DATE:	February 4, 2002	EXAMINER:	Bui, Vy Q.
TITLE:	Resistance Heated Tissue Morcellation		

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of December, 2004.

Diane Racicot

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Response to Restriction Requirement (1 pg); and
3. Return Receipt Postcard;

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TRANSMITTAL FORM

Application Serial Number	10/067,488
Filing Date	February 4, 2002
First Named Inventor	Gellman
Group Art Unit	3731
Examiner Name	Bui, Vy Q.
Attorney Docket No.	BSC-204

ENCLOSURES ***(check all that apply)***

- ☐ Fee Transmittal Form
 - ☐ Check Attached
 - ☐ Copy of Fee Transmittal Form
- ☒ Response to Restriction Requirement
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
 - ☐ Letter to Official Draftsperson including Drawings [Total Sheets _____]
- ☐ Extension of Time Request
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Copies of IDS Citations
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Copy of Notice to File Missing Parts of Application (PTO-1553)
- ☐ Formal Drawing(s)
- ☐ Petition Routing Slip (PTO/SB/69)
- ☐ Power of Attorney (Revocation of Prior Powers)
- ☐ Terminal Disclaimer
- ☐ Copy of Executed Declaration for Utility or Design Patent Application
- ☐ Small Entity Statement
- ☐ Request for Refund
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Patent Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Status Inquiry
- ☒ Return Receipt Postcard
- ☒ Certificate of First Class Mailing under 37 C.F.R. 1.8
- ☐ Additional Enclosure(s) *(please identify below)*

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: December 20, 2004
Reg. No. 42,545
Tel. No.: (617) 248/7675
Fax No.: (617) 248-7100

Customer No. 021323

John V. Forcier
Attorney for Applicant
Testa, Hurwitz & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110

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RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the Office action mailed from the U.S. Patent and Trademark Office on November 22, 2004. The Office action indicates that the invention is further restricted to one of the following inventions:

I. Claims 1-10, 14-15, and 26, drawn to a device having an electrode rotatable by a drive system.

II. Claims 16-25, drawn to a method of morcellating tissue.

Claim 13 depends indirectly from claim 1 and Applicants submit that the invention represented by claim Group I is directed to claims 1-10, 13-15, and 26. Accordingly, Applicants elect, with traverse, claim Group I.

CONCLUSION

Applicants respectfully request entry of this response and allowance of claims 1-10, 13-15, and 26 in due course. The Examiner is invited to telephone the undersigned attorney to discuss any outstanding issues.

Respectfully submitted,

Date: December 20, 2004
Reg. No. 42,545
Customer No. 021323

John V. Forcier
Attorney for Applicants
Testa, Hurwitz & Thibeault, LLP
125 High Street
Boston, MA 02110-2704
Tel. No.: (617) 248-7675
Fax. No.: (617) 248-7200